

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MICHAEL SCARDIGNO

*

Plaintiff

*

v

*

Civil Action Case No. CCB-09-2716

MARTEK BIOSCIENCES CORPORATION, *

et al.

*

Defendants

*

ORDER

On October 19, 2009, Michael Scardigno, proceeding pro se, filed the above-captioned complaint. Plaintiff has submitted the \$350.00 civil filing fee and bears responsibility for effecting service of process on defendants. The Clerk shall take all necessary steps to prepare and issue summons and to return service copies of the summons and complaint to plaintiff. Service of the summons and complaint may be effectuated by any person who is not a party and who is at least 18 years of age.

Plaintiff is reminded that under Fed. R. Civ. P. 4(l), the person effecting service of the summons and complaint must promptly notify the court, through an affidavit, that he or she has served defendants.¹ If plaintiff does not use a private process service, and instead uses certified

¹ If there is no record in the court file that service was effected on defendants, plaintiff risks dismissal of this action. Pursuant to Fed. R. Civ. P. 4(m) and Local Rule 103.8.a. (D. Md. 2008), if a party demanding affirmative relief has not effectuated service of process within 120 days of filing the pleading seeking the affirmative relief, the court may enter an order asking the party to show cause why the claims should not be dismissed. If the party fails to show cause within fourteen (14) days of the entry of the order or such other time as may be set by the court, the claim shall be dismissed without prejudice.

mail, return receipt requested, to make service, he must file with the court the United States Post Office acknowledgment as proof of service.² Registered or certified mail must be sent “restricted delivery.”

Accordingly, it is this 29th day of October 2009, by the United States District Court for the District of Maryland, hereby ORDERED that:

The Clerk SHALL TAKE ALL NECESSARY STEPS to prepare and issue Summons and to return service copies of the summons and the complaint to plaintiff; and

The Clerk SHALL SEND a copy of this Order to plaintiff.

_____/s/_____
Catherine C. Blake
United States District Judge

² Service of process on individuals may be made pursuant to Fed. R. Civ. P. 4(e). Service of process on corporations and associations may be made pursuant to Fed. R. Civ. P. 4(h). Name and service address(es) for agents of corporate defendants may be obtained from the Maryland State Department of Assessments and Taxation (410) 767-1330. The Department also has a web site. <http://www.dat.state.md.us/sdatweb/charter.html#other>.